

**MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

CR-08-00017-003

May 23, 2008
8:50 a.m.

UNITED STATES OF AMERICA -vs- JAMES OCHCHA

PRESENT: HON. ALEX R. MUNSON, CHIEF JUDGE PRESIDING
TINA MATSUNAGA, DEPUTY CLERK
SANAE SHMULL, COURT REPORTER
BEVERLY MCCALLUM, ASSISTANT U.S. ATTORNEY
JAMES OCHCHA, DEFENDANT
ROBERT TORRES, COURT-APPOINTED ATTORNEY FOR DEFENDANT
ALFONIS SOUND, INTERPRETER FOR DEFENDANT

PROCEEDINGS: DEFENDANT'S MOTION TO MODIFY BAIL

Defendant appeared with counsel Robert Torres and Interpreter Alfonis Sound. Government was represented by Beverly McCallum, Assistant United States Attorney.

Robert Torres requested for the Court to release the defendant to the proposed third-party custodian, Atenina Romino.

Defense called proposed third-party custodian Atenina Romino to the witness stand.

Beverly McCallum, Assistant U.S. Attorney deferred to the Court as to the appropriateness of the third-party custodian and the release of the defendant.

The Court found Atenina Romino to be qualified as the third-party custodian for defendant and ordered that the defendant be released on a \$10,000.00 unsecured bond and to the custody of Atenina Romino the following conditions:

- 1) That the defendant shall submit to pretrial services supervision under the direction of the United States Probation Office and abide by all standard conditions and that he must report at any time as requested;
- 2) That the defendant shall surrender her passport and any other travel documents and not obtain any other travel documents or passport;

- 3) That the defendant refrain from possessing firearms, destructive device, or other dangerous weapons, or to have at residence;
- 4) That the defendant shall refrain from any and all alcohol and shall not have any alcohol stored at the residence;
- 5) That the defendant refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 USC 802, unless prescribed by a licensed medical practitioner in the Commonwealth;
- 6) That the defendant refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release;
- 7) That the defendant reside with the third-party custodian and not relocate his residence without first notifying the Court. The third party-custodian shall report any violation of defendant's release conditions to the United States Probation Office at telephone number 236-2990;
- 8) The defendant must not leave the island of Saipan without written permission from the Court;
- 9) That the defendant shall not commit any offense in violation of federal, state or local law while on release in this case;
- 10) That the defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed;
- 11) That the defendant restrict himself to his residence everyday from 6:00 p.m. to 6:00 a.m.

Defendant was remanded back into the custody of the U.S. Marshal pending the processing of his release papers.

Adjourned at 9:25 a.m.

/s/Tina P. Matsunaga, Deputy Clerk